

O P E N I N G S T A T E M E N T

INDIVIDUAL DEFENSE OF: ITAGAKI, Seishiro

MAY IT PLEASE THIS TRIBUNAL:

The counts in which the accused, ITAGAKI, is charged are:

(1) With all the accused in counts 1 to 5, of participating in the formulation or execution of a plan concerning the Manchurian, China, Changkufeng, and Nomonhan incident, and the Pacific War in general.

(2) With all the accused in counts 6 to 17, with having planned and prepared so-called wars of aggression, and in violation of international law against the Chinese Republic, the United States, Great Britain, The Commonwealth of Australia, New Zealand, Canada, India, The Philippines, The Netherlands, France, Thailand and the Soviet Union.

(3) With some or all the accused:

- (a) In counts 18 and 27 respecting the causing and execution of the Manchurian incident.
- (b) In counts 19 and 28 respecting the causing and execution of the China incident.
- (c) In counts 23 and 33, respecting the causing and execution of war against France.
- (d) In counts 25 and 35, respecting the causing and execution of the Changkufeng incident.
- (e) In counts 26 and 36, respecting the causing and execution of the Nomonhan incident.
- (f) In counts 29, 30, 31, 32 and 34, respecting waging war against the United States, Philippines, Great Britain, The Netherlands and Thailand.
- (g) Count 44 charges cruelties to prisoners of war; count 45 in respect to Nanking; count 46 in respect to Canton; count 47 relates to Hankow; count 51 the Nomonhan incident and count 52 the Changkufeng incident.

(h) Count 54 and 55 allege violations of the laws of war.

The evidence which the accused ITAGAKI will present, taken in connection with that already adduced, will show:

1. That he did not consciously join or participate with anyone in any plan or preparation for any war of aggression, or in the execution thereof or any war in violation of international law.

2. That he had no culpable or wrongful part in any of the incidents mentioned in the Indictment and in the evidence.

3. That he, likewise, had no culpable or wrongful part in the causing of war against the United States, The Philippines, Great Britain, The Netherlands or Thailand.

4. That he neither caused, counseled, ordered, permitted, committed or condoned any mistreatment of any prisoners of war at any place.

That, on the contrary, at all times and places with which he had anything to do he endeavoured to see to it that such prisoners were well and fairly treated and, within the limits of supplies available, that they were well fed, housed and clothed.

5. That he did not commit, or cause, advise, command or condone any violations of the laws of war.

We will show that the Mukden incident was not planned but was a chance occurrence which happened following a long series of violent acts committed by the Chinese troops. That the Kwantung Army, and Japanese nationals, being in a place where they had a right to be, in order to defend against the violent and murderous acts of the Chinese troops, took actions and measures solely for self-defense.

The evidence will show that there was no plan to set up military government of Manchuria and that none was set up.

That there was no plan, so far as the Japanese were concerned, to have Manchuria secede from China and set up an independent State, and that the movement which resulted in such secession and the establishment of Manchukuo originated with and was accomplished by the Manchurians themselves.

He will show that Pu Yi's coming to Manchuria was the result of the wishes of the Manchurians and the burning desire on Pu Yi's part to be restored as Emperor of the Manchus.

It will be shown that the Concordia Society of Manchukuo, was not to function in furtherance of wars of aggression, but its purpose was to establish a peaceful land of kingly rule on the basis of racial concordia; the accused ITAGAKI was not one of the founders of the society and had no control over it.

The evidence will show that at the time of the Marco Polo Bridge incident, ITAGAKI was the Commander of the Fifth Division, was not connected with the General Staff and had no part in or responsibility for the China incident mentioned in count 19.

His evidence will disclose that at the time of the fall of Nanking, ITAGAKI, as Commander of the Fifth Division was stationed at Paoting, Hopei; that he had no part in, control over, knowledge of or responsibility for that operation.

ITAGAKI became War Minister in the KONOYE Cabinet at the urgent request of the Premier because KONOYE knew that ITAGAKI agreed with him, on

- (a) withdrawal of the Japanese army from China;
- (b) peaceful settlement of the differences existing between Japan and China.

That as War Minister in the first KONOYE Cabinet ITAGAKI made effort to bring about such withdrawal and

settlement; but that circumstances such as Chinese military action and CHIANG Kai-Shek's insistence on a policy of down treading Japan, made it impossible and drove Japan into a protracted war.

After the fall of the KONOYE Cabinet HIRANUMA requested ITAGAKI to remain as War Minister. As establishment of peace with China was by this time impossible, no other course was open to Japan save to endeavor to break down China's anti-Japanese attitude.

This necessitated Japan's gearing her domestic economy to enable her to carry on such activities while, at the same time, keeping herself prepared to seize all opportunities for settlement with China.

We will show that the negotiation with Germany and Italy for strengthening the anti-Comintern Pact was not for purposes of aggression, but to improve Japan's international position and to induce China to abandon her pro-Comintern and anti-Japanese policies, to strengthen Japan against the Soviet menace in the North and to save continental China from chaos.

That Germany's conclusion of a non-aggression pact with the Soviet Union ended the matter.

We will show that with respect to the advance of some Japanese troops from China to Indo-China in September 1940, ITAGAKI had nothing whatever to do with it and was and is not responsible in any way. That transfer of troops was made by Imperial Headquarters in Tokyo which detached the force from the China army and then ordered them to Indo-China. Counts 15, 23, and 33 relate to this matter.

From July 1941 to April 1945 ITAGAKI was in command of the Korean Army and had no part in the plan for or opening of the Pacific War.

The Korean Army was on a peace time footing up to February 1st, 1945, and had no operational duties in connection with the Pacific War.

From April 1945 to the termination of the war ITAGAKI was in Singapore as commander of the 7th Area Army.

We will show that with respect to prisoner of war camps they were under the control of the Southern Area Army and administered under the regulations promulgated by the Central Bureau in Tokyo. The only function falling within duty and responsibility of the 7th Area Army was to hold the custody of such prisoners and to supply them. ITAGAKI at all times endeavoured to see to it that all prisoners were dealt with fairly, and provided with food, shelter, clothing and medical care within the limits of the facilities available. Allied sinkings of supply ships and severing of transport and communication lines in the area caused a critical shortage of supplies, but he made the best possible use of them. Prisoners received substantially the same rations as Japanese soldiers.

Def. Doc.# 2656

ERRATA SHEET

Opening Statement

Individual Defense of: ITAGAKI, Seihiro

P.2, line 1,

after "Count" add "53".

OPENING STATEMENT
ITAGAKI PHASE

訂正

板垣征四郎劈頭陳述

裁判長並ニ裁判官各位

被告板垣が本件起訴狀ニ於テ訴追セラレアル訴因ハ

(一) 他ノ全被告ト共ニ掲ゲラレタル共同謀議——滿洲事変、中國事変、張鼓峯、ノモンハン事件、太平洋戦争全般ヲ含ム——ニ関スル訴因第一乃至第五

(二) 他ノ全被告ト共ニ掲ゲラレタル所謂侵略戦争、國際法違背戦争——中華民國、米國、英國、濠洲聯邦、新西蘭、加奈陀、印度、比律賓國、和蘭王國、佛國、泰國、ソ聯ニ對スル——ノ計畫準備ニ関スル訴因第六乃至第十七

(三) 他ノ被告ト共ニ掲ゲラレタル

(a) 滿洲事変ノ開始、遂行ニ関スル訴因第十八、第二十七

(f) 中國事変ノ開始、遂行ニ関スル訴因第十九、第二十八、

(c) 佛國ニ對スル戰爭ノ開始、遂行ニ関スル訴因第二十三、第三十三

(d) 張鼓峯事件ノ開始、遂行ニ関スル訴因第二十五、第三十五

(e) ノモンハン事件ノ開始、遂行ニ関スル訴因第二十六、第三十六

(f) 米國、比律賓國、英國、和蘭王國、泰國ニ對スル戰爭遂行ニ関スル

訴因第二十九、第三十、第三十一、第三十二、第三十四

(g) 俘虜虐待ニ関スル訴因第四十四及南京——訴因第四十五、廣東——

訴因第四十六、漢口——訴因第四十七、ノモンハン——訴因第五十一

張鼓峯——訴因第五十二

(h) 通常ノ戰爭犯罪ニ関スル訴因第五十四、第五十五

ノ四十二箇ニ及ンデナルノデアリマス。

此處ニ於テ板垣被告ハ既ニ辯護側一般段階ニ於イテ示サレタル證據ト共ニ

以下ノ点ヲ立證致シマス。

一、被告板垣ハ如何ナル侵略戦争ノ計畫又ハ準備ヲ意識シテ他ノ人ト共同謀議ヲ作ツタ事ナク又斯ル計畫ヲ遂行シテ國際法ヲ犯セルコトナシ

二、被告板垣ハ訴因並ニ證據ニアル如キ事件ニツキ犯意ヲ持テ不正ニ参加シタコトナシ

三、被告板垣ハ米國、比律賓國、英國、和蘭王國ニ對スル戦争ヲ犯意ヲ持テ不正ニ遂行シタコトナシ

四、被告板垣ハ如何ナル地區ニ於イテモ俘虜虐待ノ原因ヲ作ツタリ勸告命令、許可等ヲ爲シ又ハ実行シタリ宥恕セルガ如キ事ハ絶對ニ無シ。事實ハ正ニ反對ニシテ彼ガ俘虜ニ對シ責仕ヲ有セル期間又ハ場所ニ於テ全テノ俘虜ガ公正ニシテ良好ナル待遇ヲ受クル様ニ努力シ物資ノ許ス限リ給養ヲ與ヘ良キ住居ト被服ヲ與ヘタノデアル。

五 被告ハ又戰爭法規ヲ犯シ違反ノ原因ヲ作り又ハ勸告、命令又ハ宥恕セ
ルコトナシ

奉天事件ハ計画サレタルモノデナク支那軍ノ長期ニ亘ル多数ノ暴行ニ次イ
デ起ツタ偶発事件デアツテ関東軍及ビ日本人ハ合法的ニ駐屯及ビ居住シテ
居タノデ支那軍ノ暴虐限リナキ行爲ニ對スル防衛ノ爲自衛行爲ヲ取ツタノ
デアルコトヲ立證致シマス

又滿洲ニ於テ軍政ヲ施行スルガ如キ計画ハ全クナク又事實實施サレマセン
デシタ 日本ニ關スル限リ滿洲ヲ支那ヨリ分離シ獨立國ヲ作ル如キ計画ナ
ク滿洲が支那カラ獨立シ滿洲國が発生シタノハ滿洲國人自身ニヨリ創意サ
レ達成サレタノデアル事ヲ立證致シマス

溥儀氏推戴ハ在住民ノ希望ト彼ノ滿洲國皇帝ニ成ラントスル熱意トニヨル
モノデアルコトハ板垣自身ニヨリ判ツキリ證言スルデアリマセウ

滿洲國協和會ハ侵略戰爭ヲ遂行センガ爲ニ作ラレタ如キ會デハ全クナク夫
レトハ反對ニ民族協和ノ王道樂土建設ノ爲メ民意暢達ノ會デアッタコトト
板垣ハ之カ創立者デモ何ンデモナカッタコトハ證人ニヨリ判ツキリ立證シ
マス。

蘆溝橋事件當時板垣ハ第五師團長デアツテ其ノ頃參謀本部ニ在ッタコトハ
斷シテナイコト從ツテ許因第十九ノ被疑事實ハ全ク其ノ根據ナキコトヲ板
垣本人及證人ニヨリ立證スルデアリマセウ。

又所謂南京事件當時板垣ハ第五師團長トシテ北支河北省保定ニ駐屯シアリ
全ク關係ナカッタコトニツイテモ右同一證人が證言スルデアリマセウ。

板垣が第次近衛内閣ニ於ケル陸相トシテ近衛首相ニ迎ヘラレタノハ近衛首
相が當時板垣ハ日本軍ノ中國ヨリノ全面撤兵、日華和平解決ノ考ヘニ於テ
自分ト意見が一致シテ居ルコトヲ知ツタカラデアリマス。

板垣ハ斯クテ速ニ全面撤兵シ曰華和平解決ヲ圖ルベク第一次近衛内閣ノ陸相トシテ全努力ヲ之ニ傾注シタノデアツタ、然シ乍ラ各般ノ事情、就中、中國ノ徹底的全面抗戰ノ決意及蔣介石氏ノ日本控制政策が果シナキ長期抗戰ヘノ泥沼ヘ曰本ヲ追ヒ込シタノデアアルコトヲ立證スルデアリマセウ。

第一次近衛内閣崩壊後、板垣ハ平沼氏ノ懇請ニヨリ平沼内閣ノ陸相トシテ留任シマシタ、前述ノ如ク、曰華和平ノ迅速ナル招来ハ殆ンド不可能ノ問題トナツテ来タトスレバ中國ノ抗日態勢ヲ切りクズス方向ニ向ツテ時局收拾ノ方途ヲ見出スヨリ外ナク、仍ツテ曰本ハ國內態勢ノ整備ヲ圖リ長期戦ニ備ヘルト同時ニ凡百ノ機會ヲ捉ヘテ中國事変解決ニ資スル必要ガアツタノデアリマス。

防共協定ヲ強化スル爲獨逸ト交渉シタノハ侵略ヲ意圖シタノデハナク曰獨伊關係ヲ深メ之ヲ軸トシテ國際關係上曰本ノ地位ノ向上ヲ圖リ中國政府

ヲシテ容共抗日ヲ断念セシメ援蔣諸國ヲ防共、共存共榮ニ轉回セシムル機縁トナシ北方ソ連ノ武力及共產主義攻勢ニ對スル防衛強化ヲ圖リ中國大陸ノ混亂ヲ收拾スル方途トセン爲デアツタ。而モ其ノ交渉中途ニ於テ独逸ノ独ソ不可侵條約締結ニヨリ萬事終止トナツタコトハ證人及板垣自身ノ證言ニヨリ更ニ一層明瞭ニスルデアラウ。

一九四〇年九月下旬北部佛印へ日本軍ノ一部ガ平和進駐シタ件ニ付テハ當時板垣カ屬シテ平タ支那派遣軍トハ何等關係ナカツタ。右進駐軍ノ派遣ハ東京大本營ニ依ツテナサレタモノデアルコトヲ證人ニヨリ立證シマス。

關係訴因ハ第十五、第二十三、第三十三デアリマス。

一九四一年七月ヨリ一九四五年四月迄板垣ハ朝鮮軍司令官トシテ京城ニ在リ從ツテ太平洋戦争ノ計畫準備開始ニ付何等干與スル所ハアリマセンデシ

タ

朝鮮軍ハ一九四五年二月一日迄平時編制部隊ヲアツテ太平洋戦争ニ関スル
作戦任務ヲモ有シナカツタコトヲ明カニ致シマス

一九四五年四月ヨリ終戦迄第七方面軍司令官トシテ板垣ハ「シンガポール」
ニ在ツタガ連合軍ノ攻撃ニヨリ各地トノ連絡ハ完全ニ遮断サレ之ト交戦ス
ルニ至ラズシテ終戦トナツタノデアリマス

俘虜收容所ハ南方派遣軍司令官ノ隷下ニアリ其ノ管理ハ東京ノ中央當局発
令ノ規定ニ基キ行ハレテ居リマシタ

以上ノ両司令官時代ヲ通シ板垣ハ俘虜ノ取扱ニ付テハ最も留意シ之ヲ公正
ニ取扱ヒ、可能ナル限り施設給養等ヲ良好ニシ其ノ管理ニ遺憾ナキヲセシ
メタノデアリマス

Def. Doc. #2636

聯合國側が南方地區ニ於テ糧秣運搬船ヲ撃沈シタリ輸送通信等ヲ遮断シタ
コトハ糧秣危機ヲ生ジマシタガ彼ハ出東ル尤ノ事ヲシマシタ 俘虜ハ日本
軍ト殆ド大差ナイ給養ヲ受ケテ居タコトラ立證致シマス。